

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ATISHI BALI, *et al.*,

Plaintiffs,

v.

DIRECTOR OF THE UNITED STATES  
CITIZENSHIP AND IMMIGRATION  
SERVICES,

Defendant.

Case No. 2:24-cv-01305-RSL

STIPULATED MOTION TO DISMISS  
AND ORDER

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties hereby stipulate to dismiss this case, without prejudice, on the following terms:

1. U.S. Citizenship and Immigration Services (“USCIS”) shall take initial adjudicative action on the remaining Form I-829 by December 20, 2024:

a. Atishi Bali (WAC2190084462)

b. Adeep Cheema (WAC2122851647)

2. Initial adjudicative action means an adjudicative step taken by USCIS, and may include but is not limited to, requests for clarification, requests for evidence, a notice of intent to deny, or a final decision.

1           3.       If review of supporting documentation reveals extenuating circumstances, the  
2 agency will make best efforts to meet the above proposed deadlines but may need additional time  
3 to review or take next action on the petition as necessary. Extenuating circumstances may  
4 include, but are not limited to: acts of god or unforeseen natural disasters; physical incapacity of  
5 obtaining the files as necessary; and/or changed circumstances regarding necessary background  
6 checks, biometrics appointments, or national security concerns

7           4.       USCIS agrees to adjudicate the subject Forms I-829 in good faith. If USCIS  
8 issues a Request for Evidence (“RFE”) or Notice of Intent to Deny (“NOID”) for either  
9 Plaintiff’s petition or biometrics, USCIS will take the next adjudicative action within 90 days  
10 from receipt of Plaintiff’s response. This 90-day timeframe will apply to the response to any  
11 subsequent RFE or NOID issued in Plaintiff’s case. Plaintiffs’ counsel will share the tracking  
12 and confirmation information of any correspondence that is mailed to the agency to encourage  
13 timely receipt and review.

14           5.       If a Plaintiff believes USCIS has breached this agreement in any way, he or she  
15 will notify undersigned counsel and provide USCIS with at least 14 days to remedy any such  
16 breach. If USCIS fails to remedy said breach within 14 days (the “Cure Period”), an affected  
17 Plaintiff may file a Motion to Reopen this matter and petition this Court for the attorneys’ fees  
18 and costs associated with enforcing this Stipulated Dismissal, notwithstanding whether any such  
19 alleged cure occurring after the Cure Period has elapsed. Defendant agrees to be subject to  
20 jurisdiction and venue regarding any such filing sought to enforce the terms and conditions of  
21 this Stipulated Dismissal, filed in this Court / within the Western District of Washington.

22           6.       Except as otherwise provided in the preceding paragraph, the parties agree to bear  
23 their own costs and attorneys’ fees.  
24

1 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD

2 DATED this 4th day of November, 2024.

3 Respectfully submitted,

4 TESSA M. GORMAN  
United States Attorney

BUCHALTER, P.C.

5 s/ Michelle R. Lambert

s/ Kripa Upadhyay

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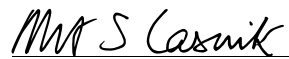
11 *I certify that this memorandum contains 399*  
12 *words, in compliance with the Local Civil Rules.*

13 *Attorneys for Defendant*

**ORDER**

The parties having so stipulated, the above is SO ORDERED. The case is dismissed without prejudice.

Dated this 5th day of November, 2024.



Robert S. Lasnik  
United States District Judge